

WHAT IS CLAIMED IS:

1. An isolated nucleic acid that is capable of driving transcription in a plant, wherein said nucleic acid comprises a nucleotide sequence having 95% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1.
2. A DNA construct comprising the nucleic acid of claim 1 and a nucleotide sequence operably linked to said nucleic acid.
- 10 3. A vector comprising the DNA construct of claim 2.
4. A plant stably transformed with a DNA construct comprising a first nucleic acid capable of driving transcription in a plant cell and a second nucleotide sequence operably linked to said first nucleic acid, wherein said nucleic acid comprises a nucleotide sequence having 95% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1.
- 15 5. The plant of claim 4, wherein said plant is a monocot.
- 20 6. The plant of claim 5, wherein said monocot is maize.
7. The plant of claim 4, wherein said plant is a dicot.
- 25 8. Transformed seed of the plant of claim 4, wherein said seed comprises said expression cassette in its genome.
9. A method for expressing a nucleotide sequence in a plant, said method comprising transforming a plant cell with a transformation vector comprising a DNA construct, and regenerating a stably transformed plant from said plant cell, said DNA construct comprising a first nucleic acid capable of driving transcription in a plant cell

and a second nucleotide sequence operably linked to said nucleic acid, wherein said nucleic acid comprises a nucleotide sequence having 95% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1.

5 10. The method of claim 9, wherein expression of said operably linked second nucleotide sequence alters the phenotype of said plant.

10 11. A plant cell stably transformed with a DNA construct comprising a first nucleic acid capable of driving transcription in a plant cell and a second nucleotide sequence operably linked to said first nucleic acid, wherein said nucleic acid comprises a nucleotide sequence having 95% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1.

15 12. A promoter element selected from the group consisting of:
a) a promoter element having the nucleotide sequence TATGAGATGA;

b) a promoter element having the nucleotide sequence CGAT CGACAA;

c) a promoter element having the nucleotide sequence GGCACAAGA;

20 d) a promoter element having the nucleotide sequence GATATAGA T;

e) a promoter element having the nucleotide sequence set forth in SEQ ID NO:9;

f) a promoter element having the nucleotide sequence 25 AGAGCACGC;

g) a promoter element having the nucleotide sequence AGT TCTG;

h) a promoter element having the nucleotide sequence AGCTGTA;

and

i) a promoter element having the nucleotide sequence

30 AT AGATTAC.

13. A promoter having at least one copy of at least one promoter element of claim 12.

5 14. A method for constructing a promoter capable of driving root-preferred expression in a plant cell, said method comprising operably linking a nucleotide sequence comprising a core promoter to at least one copy of at least one promoter element of claim 12.

10 15. A method for selectively expressing a nucleotide sequence in a plant root, said method comprising transforming a plant cell with a transformation vector comprising an expression cassette, and regenerating a stably transformed plant from said plant cell, said expression cassette comprising a promoter and a nucleotide sequence operably linked to said promoter, wherein said promoter is capable of initiating root-preferred transcription of said nucleotide sequence in a plant cell, and wherein said promoter comprises at least one copy of at least one promoter element of claim 12.

16. A plant cell stably transformed with an expression cassette comprising a promoter and a nucleotide sequence operably linked to said promoter, wherein said promoter is capable of initiating root-preferred transcription of said nucleotide sequence in a plant cell, wherein said promoter comprises at least one copy of at least one promoter element of claim 12.

20 17. A plant stably transformed with an expression cassette comprising a promoter and a nucleotide sequence operably linked to said promoter, wherein said promoter is capable of initiating root-preferred transcription of said nucleotide sequence in a plant cell, wherein said promoter comprises at least one copy of at least one promoter element of claim 12.